

2003  
OFFICIAL

# HellerEhrman

ATTORNEYS

1666 K Street, NW, Suite 300  
Washington, D.C. 20006-1228  
Main: (202) 912-2000  
Fax: (202) 912-2020

Facsimile Transmittal

RECEIVED  
CENTRAL FAX CENTER

DEC 18 2003

To: Examiner Bao Qun Li, USPTO  
Telephone: 703-305-1695

Fax: 703-872-9306

From: John P. Isacson  
Telephone: (202) 912-2142  
Direct Fax: (202) 912-2020

Please return to Mel Atkins

No. of Pages: 19 (including cover)  
Date: December 18, 2003

4870/38163-0131

Message: RE: 09/856,988 Schlom et al. - Our Ref: 38163-0131 - Conf. No. 7849

Dear Examiner Li,

Please see the attached Amendment and Request For Reconsideration Under 37 CFR § 1.116.

Thank you.

DC 112037 v1  
12/18/03 12:56 PM (38163.0131)

The information contained in this communication is intended only for the use of the addressee and may be confidential, may be attorney-client privileged and may constitute inside information. Unauthorized use, disclosure or copying is strictly prohibited, and may be unlawful. If you have received this communication in error or you have not received all pages, please call the sender immediately at (202) 912-2000.

Heller Ehrman White & McAuliffe LLP [www.hewm.com](http://www.hewm.com)

New York Washington D.C. Madison, WI San Francisco Silicon Valley Los Angeles San Diego Seattle Portland Anchorage

PTO/SB/97 (03-00)

Approved for use through 10/31/2002. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

### Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office

on December 18, 2003.

Date

Melania L. Atkins-Sims  
Signature

Melania L. Atkins-Sims

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal Form (1-page)

Fee Transmittal (1-page)

Petition for Extension of Time (1-page)

Amendment and Reconsideration Under 37 CFR Sec. 1.116 (14-pages)

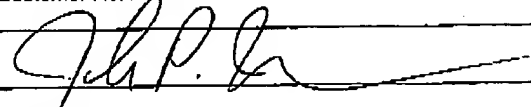
Please type a plus sign (+) inside this box → ☒PTO/SB/21 (08-10)  
Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/856,988	
	<b>Filing Date</b>	September 24, 2001	
	<b>First Named Inventor</b>	Jeffrey SCHLOM et al.	
	<b>Group Art Unit</b>	1648	
	<b>Examiner Name</b>	Bao Qun Li	
<b>Total Number of Pages in This Submission</b>	17	<b>Attorney Docket Number</b>	38163-0131

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John P. Isacson, Reg. No. 33,715, HELLER EHRMAN WHITE & MCAULIFFE LLP Customer No. 26633
Signature	
Date	December 18, 2003

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: _____		
Typed or printed name		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.